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Jin Young Kim

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HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 8910

RESTON, VA 20195

EXAMINER

CHACKO DAVIS, DABORAH

ART UNIT

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1795

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, and 11, are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 6,620,577 (Lynch et al., hereinafter referred to as Lynch).

Lynch, in col 15, lines 1-10, and lines 66-67, in col 16, lines 1-4, lines 24-28, and lines 33-48, in col 17, lines 35-54, in col 37, lines 1-67, in col 38, lines 1-9, and lines 27-44, in col 39, lines 20-42, in col 40, lines 32-60, discloses a photothermographic emulsion (composition, organometallic composition) that can be light sensitive (i.e., photosensitive) such as silver salts of organic acids or silver complexes that include Ag; and adding to the composition chemical sensitizers such as a gold containing compound that has the formula of AuLY (structure IX), wherein the ligand L can include an arene, and Y is the anion such as sulfate, and further adding to the silver containing composition (photothermographic emulsion) at least another chemical sensitizer that has the structure ML'X², wherein M is a metal such as Pd, and L' is a neutral ligand such as arsine compound (E(R_a)(R_b)(R_c); wherein E=As, R_a, R_b, R_c are alkyl or aryl groups). Lynch, in col 52, lines 57-67, in col 53, lines 1-67, and in col 54, lines 1-31,

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discloses that the photothermographic material (emulsion) is subjected to exposure to form a pattern by performing an imaging exposure followed by a thermal development at moderately elevated temperatures to form the desired visible image (pattern that will include the metal alloy) (claims 1-2, and 11).

Response to Arguments

3. Applicant's arguments filed December 15, 2009, have been fully considered but they are not persuasive. The 35 U.S.C. 102(e) rejection of claims 1-2, and 11, mailed September 15, 2009, has been maintained.

A) Applicants argue that Lynch does not disclose the organometallic compound of claims 1, and 11 and that Lynch does not disclose the claimed neutral ligand with photosensitivity.

Applicant's claims 1, and 11, recite that the organometallic composition comprises an organometallic compound (I) of formula I, wherein Formula I is $Ag_mL_nX_p$, and that m can be 1 to 10, n can be 0 to 40, and p can be 0 to 40, i.e., for m=1, n= 0, and p=0, the formula I of the organometallic compound is Ag. Lynch teaches a silver complex that includes silver. Also for n=0, as claimed by the applicant, there is no ligand present in the claimed composition, photosensitive or not, in the organometallic composition. Lynch teaches the photothermographic material composition that is an emulsion of silver metal complex and gold compound (organic gold complex), and palladium metal complex, and is disclosed above in paragraph no. 2, above and is essentially the same as that recited in claims 1, and 11.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (571) 272-1380. The examiner can normally be reached on M-F 9:30 - 6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Daborah Chacko-Davis/
Primary Examiner, Art Unit 1795

April 10, 2010.